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**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

SUZANNE KISTING-LEUNG, SAMANTHA
DABABNEH, RANDALL RENTSCH, and
CHRISTINA THORNHILL, individually and on
behalf of all other similarly situated,

Plaintiffs,

vs.

CIGNA CORPORATION, CIGNA HEALTH
AND LIFE INSURANCE COMPANY, and
DOES 1 through 50, inclusive,

Defendants.

Case No. 2:23-cv-01477-DAD-KJN

**JOINT STIPULATION FOR
PLAINTIFF TO FILE THIRD
AMENDED CLASS ACTION
COMPLAINT; [PROPOSED] ORDER**

SAC Filed: December 18, 2023
Judge: Hon. Dale A. Drozd
Trial Date: Not Set

1 Plaintiffs Suzanne Kisting-Leung, Samantha Dababneh, Randall Rentsch, and Christina
2 Thornhill, and Defendants Cigna Corporation and Cigna Health and Insurance Company, by and
3 through their undersigned counsel, submit the following joint stipulation and request that the Court
4 grant Plaintiffs leave to file a Third Amended Class Action Complaint (“TAC”) pursuant to Rule
5 15(a)(2) of the Federal Rules of Civil Procedure:

6 **WHEREAS**, Plaintiff filed her Class Action Complaint (“Original Complaint”) in this action
7 on July 24, 2023;

8 **WHEREAS**, Defendants filed an unopposed motion for administrative relief for extension
9 of time to answer, move, or otherwise respond to the Original Complaint on August 7, 2023;

10 **WHEREAS**, the Court granted Defendants’ unopposed motion for administrative relief for
11 extension of time to answer, move, or otherwise respond to the Original Complaint and set the
12 deadline for Defendants to file a response to the Original Complaint by September 29, 2023;

13 **WHEREAS**, on September 14, 2023, the parties filed the joint stipulation for leave for
14 Plaintiff to file the First Amended Class Action Complaint (“FAC”) by October 16, 2023;

15 **WHEREAS**, the Court granted the joint stipulation to allow Plaintiff to file the FAC by
16 October 16, 2023;

17 **WHEREAS**, Plaintiff filed her FAC on October 16, 2023;

18 **WHEREAS**, on November 28, 2023, the parties filed the joint stipulation for leave for
19 Plaintiffs to file the Second Amended Class Action Complaint (“SAC”) by December 18, 2023;

20 **WHEREAS**, Plaintiffs filed their SAC on December 18, 2023;

21 **WHEREAS**, Defendants filed their Motion to Dismiss on February 1, 2024, and set the
22 hearing date for June 4, 2024;

23 **WHEREAS**, Plaintiffs’ Opposition to Defendants’ Motion to Dismiss is due on May 6,
24 2024;

25 **WHEREAS**, on April 24, 2024, counsel for Plaintiffs met and conferred with counsel for
26 Defendant, where Plaintiffs indicated an intention to amend their SAC and file a Third Amended
27 Complaint (“TAC”) to address some of the issues raised in Defendant’s Motion to Dismiss,
28 including by withdrawing certain claims that Defendants had moved to dismiss. While Defendants

1 reserve the right to move to dismiss the TAC, the parties agree that the proposed TAC may narrow
2 the scope of pleading challenges and thus conserve judicial resources.

3 **WHEREAS**, counsel for Defendants currently has two multi-week trials scheduled for July
4 through early August 2024 in other unrelated matters;

5 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** between the
6 parties hereto, through their respective attorneys of record, that:

- 7 1. Plaintiffs may, pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, file
8 an amended complaint in the form of the TAC on or before June 14, 2024;
- 9 2. Defendants shall have until August 23, 2024, to answer, move, or otherwise respond
10 to the TAC.

11 Respectfully submitted,

12 DATED: May 1, 2024

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13 By: /s/ Glenn A. Danas
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19 DATED: May 1, 2024

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[PROPOSED] ORDER

The Court, having reviewed the parties' Joint Stipulation for Plaintiffs to file the Third Amended Class Action Complaint pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, and for good cause appearing, **IT IS HEREBY ORDERED** that Plaintiffs are granted leave to file the Third Amended Complaint on or before June 14, 2024.

IT IS FURTHER ORDERED that Defendants shall have until August 23, 2024, to answer, move, or otherwise respond to the Third Amended Complaint.

IT IS SO ORDERED

DATED: _____, 2024

Honorable Dale A. Drozd
United States District Judge